

Present: Selectmen Tom Tanous, Chair; Don Pickard, Peter Hersee,  
Also Present: Jeff Chelgren, Town Administrator; Catherine Tinsley, Secretary

Sept 6, 2005

Mr. Tanous opened the meeting at 7:30 PM.

He noted that the Bessie Buker School will be opening for classes next week and that the Board of Selectmen will again be holding their meetings in the Bessie Buker Multi Media Room starting on September 6, 2005.

#### ANNOUNCEMENTS

Mr. Pickard identified that future meeting dates of importance include: 1. Wednesday August 31, 2005 when the BOS will appoint Ken Walsh as Chief of the Wenham Police Department, adding that there is a reception following and encouraged the public to attend; 2. he also identified that on August 24, 2005 there is a ZBA site meeting at the Gordon College recreation field on Hull Street regarding the proposed lighting of the athletic field and parking area; and 3. that the HDC is conducting a public hearing on August 25, 2005 in the Bessie Buker Multi Media room at 7 PM to receive the Building Committee's application for a certificate of Appropriateness and hear comments from the public.

#### OLD BUSINESS

The Town Administrator and the BOS reviewed the October 4, 2005 Special Town Meeting Timeline and Articles. Mr. Hersee started the discussion by identifying important dates within the timeline, which included July 26, 2005 when the warrant was opened and August 9, 2005 when the BOS closed the warrant to the public. He went on to say that various public forums will be held prior to October 4<sup>th</sup>.

Mr. Hersee said that the Selectmen will sign and post the warrant by no later than September 6, 2005.

Mr. Chelgren and the Selectmen then reviewed the list of potential Articles to be considered for placement on the warrant. The list contained eleven Potential Articles.

Mr. Hersee noted that 7 of the articles have been identified as "recommended" for placement on the warrant, and the wording for these 7 have been sent to town counsel for review.

Mr. Chelgren briefly reviewed the proposed seven articles and outlined the purpose of each. A description of the articles is as follows:

- 1) Submitted by the BOS - The acceptance of the Building Committee's Town Hall/Police Station project recommendation with a slight exterior modification and a request for additional funding for the project. He noted that the exact amount of the funds being sought will be identified in the wording of the motion.
- 2) Submitted by the BOS - To amend the Historic District bylaw in order to exempt town properties and buildings from the jurisdiction of the HDC.
- 3) To update the Wenham zoning by law to create a "Municipal Zone" which is intended to acknowledge the intended use of the properties that are, and have been, dedicated to municipal use; such as the Town Hall site. He noted that currently this lot is zoned residential and restricted as such.
- 4) Public petition seeking the funding needed to construct the original town hall/police station project, proposed in 2002, which included the renovation of the town hall building and the development of a new and free-standing police station.
- 5) Rezoning 181 Main Street from Residential to an Elderly Overlay District; it was noted that the property is currently known as the Dodge property.
- 6) Bylaw amendment - Intended for the purpose of allowing the Town Moderator to waive the required hand count of town meeting articles that require a 2/3rds vote when it is apparent that this

threshold has been met. Mr. Chelgren added that if 7 voters questioned the count, then was to automatically be counted.

7) To authorize the use of \$20,000 generated from an overlay surplus turn back to the town from the assessors to fund the programs of the WISSH Committee.

Mr. Chelgren asked the BOS to review the articles and make their editing comments as soon as possible.

Mr. Pickard requested that the Town Counsel indicate which articles require a 2/3 vote and which ones a majority vote.

Mr. Weaver was present and did so. He noted that Articles which request funding will automatically require a 2/3 vote.

Mr. Pickard also questioned what the Selectmen would elect to do if all of the articles related to the town hall building project failed. He stated that the BOS should consider placement of an additional article on the warrant, one that contemplates some form of action in this "all fail" scenario.

Discussion followed.

The BOS will take positions on the articles at their September 6, 2005 meeting.

Tissy King, President of the WVIS, was present and asked to address the BOS. She identified that she was speaking on behalf of the Wenham Village Improvement Society. Ms. King told the BOS that it is the intention of the WVIS to ask that the Selectmen take action at an upcoming town meeting to seek authorization to issue wine and beer licenses to smaller restaurants such as the Wenham Tea House.

She said that the Tea House will most likely be rented in the future and a liquor license will make the Tea House more attractive to potential businesses. She added that this will enable the Tea House to remain open, noting that the Wenham Tea House is the oldest operating Tea House in America.

Mr. Weaver responded by saying that the Town bylaw must be modified and an action of the State Legislature sought.

Mr. Chelgren also responded by stating that two towns, Rockport and Topsfield, have recently been through this process and Wenham can access their documents for guidance.

Mr. Tanous noted that this was brought before the town in 1968 and voted down.

Mr. Hersee asked Ms. King if the WVIS surveyed Tea House customers and Ms. King said that a brief survey was done years ago but the majority of customers are not Wenham residents.

Further discussion to follow.

#### Bolder Lane Study Committee

*Mr. Hersee moved that the BOS approve the Bolder Lane Study Committee Charge as last amended on August 9, 2005.*

*Mr. Pickard seconded and discussion followed.*

Mr. Hersee read the original charge of the committee which identified that no later than January 1, 2006 the Committee will provide the BOS with the following:

A recommendation for the best use of the Town-owned land

A recommendation regarding collaboration with the private owner of an adjacent parcel of land that bisects the town property.

Site development recommendations.

Zoning Amendment recommendations.

And a related timeline and task list.

*The motion was approved by unanimous vote.*

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Mr. Tanous identified that Mr. Chelgren and he had conducted interviews with the potential committee members listed for appointment tonight. Both Mr. Chelgren and Mr. Tanous strongly recommended the appointment of all members to this committee.

*Mr. Pickard, therefore moved to appoint the following Wenham residents to the Boulder Land Study Committee:*

*Daniel Beckman of 19 Juniper St.*

*Donald Hodgman of 5 William Fairfield Dr*

*Michael Parker of 5 Birch Rd.*

*Greg Redinbo of 40 Parson's Hill Rd.*

*Mr. Hersee seconded and the motion was approved by unanimous vote.*

Town Counsel offered his assistance to the committee and stated that he could inform them of past study results, successes and failures.

He went on to recommend a Real Estate professional be sought for the Committee.

## REPORTS

Mr. Chelgren identified that the town received the first invoice for the Quint fire truck. He went on to request authorization to sign the invoices for payment. He noted that the BOS earlier authorized payment of the full amount with 25% of the total cost up front as a means of receiving a discount. Mr. Chelgren identified that this invoice amount was for \$126,236.00 saying that by paying a quarter of the cost upfront, the total cost of the vehicle was reduced.

*Mr. Hersee moved to authorize Mr. Chelgren to sign the invoices for payment.*

*Mr. Pickard seconded and the motion was approved by unanimous vote.*

Mr. Chelgren identified that the town had been hit by a series of isolated Micro bursts during a storm on August 5, 2005, saying that the total cost for response time and cleanup is approximately \$10,000.00. He added that Representative Brad Hill and Senator Bruce Tarr are seeking funding for the town to offset the clean up cost of the devastation.

Mr. Chelgren identified that the Community Preservation Act Committee held their first meeting and Patrick Wilson was elected chair and will prepare a meeting schedule.

Mr. Tanous stated that Wenham Days occurred on August 20, 2004 and it was a very good day for the businesses that participated. He also stated that the traffic was well managed during the event and that he had heard few complaints.

Mr. Hersee thanked the Pleasant Pond Neighborhood Association for their input in resolving the parking problems at the beach and identified that the parking lot is open and that there is no cost for resident parking stickers this year. He noted that 55 stickers were issued the first week and that these are good for the current calendar year ending December 31st.

## MINUTES

*Mr. Hersee moved to accept the minutes of the BOS meeting of August 9, 2005 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.*

*Mr. Hersee moved that the ES minutes of 8-9-05 be accepted with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.*

Mr. Chelgren identified that Wenham, Hamilton, the School Committee and the Cable Negotiation Committee are discussing building a new cable studio at the High School and to potentially hire the CATV Technician recently hired by the two towns, Bill Melville, as a full-time teacher. He said that

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the studio would be used by the students as a resource and as a curriculum enhancement. He also identified that details are being discussed, such as access to the studio after school hours. It was the consensus of the BOS that the discussions continue but that any draft documents regarding this concept be brought back to both sets of Selectmen for final authorization.

Mr. Tanous identified that we have received a letter of complaint from a Main Street resident, regarding salt damage to plants in her front yard. Mr. Tanous explained that the town cleaned sidewalks with a snow blower this past year which threw salt-laden snow onto resident's yards and gardens which caused property and plant damage. The town is continuing to communicate with the State Highway Department regarding a resolution that will help avoid this problem next season.

*Mr. Pickard moved to allow the Friends of the Library to place a sandwich board sign from September 4-15, 2005 at Linden and Main Street to indicate the book sale at the Library.*

*Mr. Hersee moved to go into executive session for the purpose of discussing Fire Union Negotiations and return to open session for the purpose of adjournment.  
The motion was approved by roll call vote.*

8:42 PM -The BOS returned to open session. *Mr. Hersee moved to adjourn and it was unanimous to adjourn.*